

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

AUDREY ADELINE NOLAND-JAMES,

Defendant.

NO. CR19-0261-RSM

ORDER CONTINUING TRIAL  
DATE

THIS COURT having considered the United States' Motion for an Order Vacating the Trial Date and Setting New Trial Date, the defense response and the Government's reply, as well as its COVID-19-related General Orders, including General Order 08-20 dated May 13, 2020, which address measures to reduce the spread and health risks associated with COVID-19, and which are incorporated herein by reference, hereby FINDS as follows:

1. In light of the recommendations made by the Centers for Disease Control and Prevention (CDC) and Public Health for Seattle and King County regarding social distancing measures required to stop the spread of this disease, as well as the lack of the type of personal protective equipment necessary to ensure the health and safety of all participants, it is not possible at this time to proceed with a jury trial on the currently scheduled date of July 20, 2020.

2. Further, because of the recommendations that individuals at higher risk of contracting this disease – including individuals with underlying health conditions, individuals age 60 and older, and individuals who are pregnant – avoid large groups of people, at this time, it would be difficult, if not impossible, to get a jury pool that would represent a fair cross section of the community. Based on the recommendations, it would also be medically inadvisable to do so.
3. As a result, the failure to grant a continuance of the trial date in this case would likely result in a miscarriage of justice. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by continuing the trial in this case outweigh the best interest of the public and the defendant to a speedy trial.

IT IS THEREFORE ORDERED that the trial date shall be continued to October 13, 2020, and that pretrial motions shall be filed no later than September 3, 2020.

IT IS FURTHER ORDERED that the period of time from the date of this order up to and including October 13, 2020, the date set for the trial, shall be excludable time pursuant to 18 U.S.C. § 3161.

Dated this 29<sup>th</sup> day of June, 2020.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE